



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/688,872   | 10/17/2003  | Nicholas G.L. Merz   | D0000-1005d1        | 2246             |
| 24208  | 7590        | 07/12/2004           | EXAMINER            |                  |
| ROBERT PLOTKIN, ESQ<br>45 BUTTERNUT CIRCLE<br>CONCORD, MA 01742-1937 |             |                      | LEON, EDWIN A       |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 2833                |                  |

DATE MAILED: 07/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                 |                     |  |
|------------------------------|-----------------|---------------------|--|
| <b>Office Action Summary</b> | Application No. | Applicant(s)        |  |
|                              | 10/688,872      | MERZ, NICHOLAS G.L. |  |
|                              | Examiner        | Art Unit            |  |
|                              | Edwin A. León   | 2833                |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7, 8, 10, 11 and 13-15 is/are rejected.
- 7) ☒ Claim(s) 6, 9 and 12 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. ____.  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>10/03</u> .   | 6) <input type="checkbox"/> Other: ____.                                    |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-6 and 10-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1 and 10 recite the limitations "first means" and "second means". The word "means" is preceded by the word(s) "first and second" in an attempt to use a "means" clause to recite a claim element as a means for performing a specified function. However, since no function is specified by the word(s) preceding "means," it is impossible to determine the equivalents of the element, as required by 35 U.S.C. 112, sixth paragraph. See *Ex parte Klumb*, 159 USPQ 694 (Bd. App. 1967). Due to the indefinite status of the claims the rejection stands as follows:

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2833

4. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okamoto (U.S. Patent No. 6,752,662) in view of Okada (U.S. Patent No. 5,322,447). With regard to Claims 1-2, Okamoto discloses an electronic device (Fig. 1A) comprising: a housing (20); a first connector (1) comprising: first cavity (22) defined by a first outer shell (20a-b) integrally formed in the housing (20) and having a first cross-sectional profile of a first plug (Column 5, Line 44-48) to which the first connector (1) may mate; and first means (11) integrally formed in and extending from a component (10) of the electronic device (Fig. 1) and protruding into the first cavity (22); the first means (11) comprises a first tongue (11). See Figs. 1-3.

However, Okamoto doesn't show a second connector comprising: second cavity defined by a second outer shell integrally formed the housing and having a second cross-sectional profile of second plug to which the second connector may mate; and second means integrally formed in and extending from the component of the electronic device and protruding into the second cavity, the second means comprises second tongue.

Okada discloses a similar device (Fig. 1) having a first (1, 2, left side) and second (1, 2, right side) connectors comprising: first (3, left side) and second (3, right side) cavities, first (6a, left side) and second (6a, right side) means integrally formed in and extending from the component (6) of the electronic device (Fig. 1) and protruding into the cavities (3, left side and right side), the means (6a, left side and right side) comprising first and second tongues (6a, left side and right side). See Figs. 1-3.

Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the device of Okamoto by including a second connector comprising: second cavity defined, second means integrally formed in and extending from the component of the electronic device and protruding into the second cavity, the second means comprises second tongue as taught in Okada in order to connect different kinds of mating connectors independently to the same device.

With regard to Claim 3, Okamoto discloses the component (10) comprising a printed circuit board (10). See Figs. 1-3.

5. Claims 4-5, 7-8, 10-11 and 13-15 rejected under 35 U.S.C. 103(a) as being unpatentable over Okamoto (U.S. Patent No. 6,752,662) in view of Okada (U.S. Patent No. 5,322,447), and Tan et al. (U.S. Patent No. 6, 475,021). The combination of Okamoto and Okada discloses the claimed invention as shown above except for the first connector complying with requirements of a first connector standard and wherein properties of the second connector complying requirements of second connector standard that differs from the first connector standard, the first connector standard comprises the Universal Serial Bus standard and wherein the second standard comprises the IEEE 1394 standard.

Tan et al. discloses a similar connector using connectors complying with the requirements of the Universal Serial Bus standard and the IEEE 1394 standard. See Figs. 1A-6, Column 2, Lines 41-51, and Column 7, Lines 25-40.

Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the connector of Biermann et al. by making the

connectors comply with the requirements of the Universal Serial Bus standard and the IEEE 1394 standard as taught in Tan et al. since it is well known in the art of electrical connectors that this would make the connector more versatile and would help protect the connector against electromagnetic interference caused in the operation of the connector.

### ***Allowable Subject Matter***

6. Claims 6, 9 and 12 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

The references fail to teach, disclose, or suggest, either alone or in combination, the first connector further comprising a spacer coupled to a surface of the first means or tongue, wherein the combined thickness of the first means or tongue and the spacer comply with thickness requirements of the first connector standard and in combination with the rest of the limitations of the base and intermediate claims.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Biermann et al. (U.S. Patent No. 5,754,404), Alappat et al. (U.S.

Art Unit: 2833

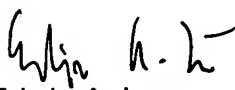
Patent No. 6,629,181), Bates (U.S. Patent No. 6,008,994) and Kikuchi et al. (U.S.

Patent No. 6,629,851) disclose devices having housings, shells and tongues.

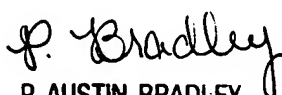
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edwin A. León whose telephone number is (571) 272-2008. The examiner can normally be reached on Monday - Friday 10:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on 571-272-2800, extension 33. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Edwin A. León  
AU 2833

EAL  
July 5, 2004

  
P. AUSTIN BRADLEY  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800